



Notice No. 2023-208 Elm Street NW

Mailing Notice Date: **May 1, 2023**

Name: Briones Properties, LLC

Address: 516 2nd Avenue NW

City: Sleepy Eye

State: MN

Zip Code: 56085

Date of observed violation: **April 30, 2023 at 2:34 pm**

NOTICE OF NON-COMPLIANT CONDITION (BLIGHT)

You are hereby given notice of a condition or conditions on your property that fail to comply with the City of Sleepy Eye Ordinance No. 140, Second Series, which regulates blight conditions within the City of Sleepy Eye.

The property on which the non-compliant condition or conditions are found is located at:

**208 Elm Street NW
Sleepy Eye, MN 56085**

The non-compliant condition or conditions of your property are described in the following enclosed addendums:

- Garbage; Dumpsters; or Vermin
- Building Maintenance and Appearance
- Motor Vehicles, Equipment, Junk**

You have 7 calendar days, including holidays and weekends, from the date of this notice to remove or abate the non-compliant conditions on your property. Failure to remove or abate the non-compliant conditions in the time specified shall constitute a violation of the Ordinance.

Unless the non-compliant conditions are abated or removed within said time, set forth above, the blight officer will request that an officer with the Sleepy Eye Police Department issue a citation-summons and/or seek a civil court order which may cause the City of Sleepy Eye to abate or remove the non-compliant conditions at the expense of the owner of the property.

The failure to abate or remove the non-compliant conditions within the time limit specified shall be considered a violation of the Ordinance. Each notice given that is not removed or abated shall constitute a separate violation of the Ordinance. A violation of the Ordinance shall be a misdemeanor and the fine amounts, as set by the Sleepy Eye City Council, are as follows:

One violation within 3 years: \$250.00

Two violations within 3 years: \$500.00

Three or more violations within 3 years: \$1,000.00

A violation of the Ordinance may also involve a civil proceeding under Minnesota Statutes Section 463.

Any owner or occupier of a property who fails to remove and abate non-compliant conditions of the Ordinance shall be liable to the City for all expenses incurred in the removal and abatement of the non-compliant conditions. The City shall have the right to recover all such costs and a lien may be imposed and charged against the property on which the non-compliant conditions were located.

If you have any questions about this notice, please contact the blight officer.

Sincerely,

Myron Wieland, City of Sleepy Eye blight officer

Sleepy Eye City Hall

200 Main Street East

Sleepy Eye, MN 56085

507.766.5501 (cellular)

Enclosure: addendums

Addendum

GARBAGE

- Accumulate garbage, rubbish, offal, refuse, body of a dead animal, or other litter; or
- Cast, place, sweep, deposit any garbage, rubbish, offal, refuse, body of a dead animal, or other litter in a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or other property.

Detailed description:

DUMPSTERS

- Failure to remove a dumpster within five days of the expiration of a building permit, passage of all final inspections, or issuance of a certificate of occupancy, whichever is later; or
- Keep a dumpster on a property when there are no regularly-scheduled weekly pickups for the contents of the dumpster (applies when there is no building permit).

Detailed description:

VERMIN

- Create, cause, permit, or fail to remediate or remove any condition on such property that attracts or harbors vermin, or allow or permit any accumulation of material that harbors or attracts vermin; or
- Fail to cause such vermin to be removed from the property in a safe and sanitary manner.

Detailed description:

Addendum

BUILDING MAINTENANCE AND APPEARANCE

A building, fence or other structure that has any one of the following conditions:

- Any part of any exterior surface has deterioration, holes, breaks, gaps, loose or rotting boards or timbers;
- Any exterior surface that has had a surface finish such as paint applied is not maintained in order to avoid noticeable deterioration of the finish. Any wall or other exterior surface that has peeling, cracked, chipped or otherwise deteriorated surface finish on more than 25 percent of: a) any one wall or other flat surface; or b) all door and window moldings, eaves, gutters and similar projections on any one side or surface;
- Glass, including windows and exterior light fixtures, are broken or cracked, or screens are torn or separated from moldings;
- Exterior doors and shutters are not hung properly and do not have an operable mechanism to keep them securely shut or in place;
- Cornices, moldings, lintels, sills, bay or dormer windows, and similar projections are not kept in good repair and are not free from cracks and defects that make them hazardous or unsightly;
- Roof surfaces are not tight and have defects that admit water;
- Roof drainage systems are not secured and hung properly;
- Chimneys, antennae, air vents, and other similar projections are not structurally sound and are not in good repair. These projections are not secured properly, where applicable, to an exterior wall or exterior roof; or
- Foundations are not structurally sound and are in bad repair.

Detailed description:

Addendum

MOTOR VEHICLES, EQUIPMENT, JUNK

X Maintain unsheltered storage of any other vehicles, machinery, implements, equipment, junk or personal property (including appliances) of any kind which is no longer safely usable for the purposes for which it was manufactured;

- Place, park, permit to remain, or store a motor vehicle on a surface that is dirt or grass-covered; or
- Place, park, permit to remain, or store a motor vehicle in the front setback (front yard) of a property, unless the driveway or parking area is approved by the City Council.
- Place, park, permit to remain, store or leave upon an open area of a property any motor vehicle that conforms with any one of the following conditions
 - The motor vehicle does not have a valid current motor vehicle license affixed to it;
 - The motor vehicle is unusable or inoperable because of lack of, or defects in component parts;
 - The motor vehicle is unusable or inoperable because of damage from collision, deterioration, or having been cannibalized;
 - The motor vehicle is beyond repair and therefore not intended for future use as motor vehicle; or
 - The motor vehicle is being retained on the property for possible use of salvageable parts.

Detailed description:

Parked in the rear of the property, by the detached garage, is a gold colored Saturn vehicle with two (2) different expired license plates and a tire is setting outside the garage.